

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO.24702 of 2007

Dated:13-12-2007

Between:

Mohd.Fazlullah Khan

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AND

The Special Deputy Collector (LA),
Unit-VII ORRP-HUDA, Hyderabad.
Hyderabad.

And another.

.....Respc

Counsel for the petitioner : none

Counsel for Respondent No.1 : Sri Y.Ravindra.

Counsel for Respondent No.2 : Sri Dhananjay Reddy

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HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

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WRIT PETITION No.24702 of 2007

ORDER:

This writ petition is filed for a writ of mandamus to direct respondent No.1 to consider the petitioner's representation dated 27.1.2007 to permit him to harvest Sapota crop over Ac.4.15 cents of land covered by survey No.208/1, Janwada village, Shankarpally mandal, Ranga Reddy District before taking possession.

In his affidavit the petitioner admits that an award was passed on 5.10.2007 determining the market value of the land at Rs.26,54,858/-. His only grievance is that respondents are not giving reasonable time to enable him to harvest the standing Sapota crop over the acquired land.

The Special Deputy Collector, Land Acquisition, Unit-VII (ORR) filed a counter affidavit and documents in support of the averments contained therein.

Sri Y.Ravindra, learned Standing Counsel for the respondents invited my attention to the award in which it is mentioned as under:

“ The general award has been passed on 5.10.2007. As per the award an amount of Rs.26,54,858/- (including the value of Horticultural trees Rs.1,82,931/-) has been awarded to him. Notice U/s.12(2) of the L.A.Act has been issued on 15.10.2007 (copy enclosed).”

It is evident from the above re-produced portion of the award even the horticultural plants were valued while fixing the market value. Notice was issued to the petitioner to receive the cheque on 15.10.2007. Under the provisions of the Land Acquisition Act 1894 the property gets vested in the State after passing of the award. Since the plants existing on the acquired land were also valued, the petitioner cannot have any legitimate grievance nor any right to insist that he should be permitted to harvest the crop.

For the aforementioned reasons, the writ petition is dismissed.

C.V.NAGARJUNA REDDY,J

Date:13.12.2007

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